



No. 48] CHENNAI, FRIDAY, FEBRUARY 2, 2018
Thai 20, Hevilambi, Thiruvalluvar Aandu-2049

Part V—Section 4

Notifications by the Election Commission of India

NOTIFICATIONS BY THE ELECTION COMMISSION OF INDIA

JUDGEMENT OF THE HIGH COURT OF MADRAS
IN ELECTION PETITION No.20 OF 2016.

No. SRO G-1/2018.

The following Notification of the Election Commission of India, Nirvachan Sadan, Ashoka Road, New Delhi-110 001, dated 10th January, 2018 [20 Pausa, 1939 (Saka)] is published:—

No. 82/TN-LA(EP 20 of 2016)/2018:—In pursuance of Section 106 (b) of the Representation of the people Act, 1951 (43 of 1951), the Election Commission hereby publishes the Order of the High Court of Madras, dated 08th November, 2017 in Election Petition No.D.No. 20 of 2016.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Ordinary Original Civil Jurisdiction)

Wednesday, the 8th day of November 2017.

The Hon'ble Mr. Justice P.N. PRAKASH

Election Petition No. 20 of 2016 and

O.A.Nos. 28, 748 and 749 of 2017.

Elp No.20 of 2016

A. Munusamy,
S/o. R.Arumugam,
No. 3/365, Padavattamman Koil Street,
Kazhipattur Village, Padur Post,
Thiruporur Taluk,
Kanchipuram District Pin-603 103—*Petitioner*

Versus

1. R.T. Arasu,
S/o. Thandiyan,
No.1/22, Mariyamman Koil Street,
Irumbedu Village, Maduranthagam Taluk,
Kanchipuram District-603 301.
2. P. Sampath,
No. 51, Thenneripattu Village,
Vellore Post, Cheyyur Taluk,
Kanchipuram District-603 401.
3. T. Ramesh,
No. 14, Manju Villagam, Paraman Keni,
Sekkanankuppam Post, Cheyyur Taluk,
Kanchipuram District-603 305.
4. Ehil Karoline,
No. 64, Padmavathi Nagar Main Road,
Madampakkam, Chennai-600 126.
5. I. Kannan,
No. 5/645, Kalaimagal Street,
New Otteri Extention, Vandalur,
Chennai-600 048.
6. V. Sadaiyappan,
No. 3-14/3-133, Mariyamman Koil Street,
Ottiyambakkam Village, Cholinganallur Taluk,
Thalambur Post,
Kanchipuram District-600 073.

7. A. Dasarathan,
No.7, Ottraivadai Street,
Illedu Village,
Soonambedu Post, Cheyyur Taluk,
Kanchipuram District-603 401.
8. S. Krishnaraj,
No. 60/3, Chengeniamman Koil Street,
Sengattur Village & Post,
Cheyyur Taluk,
Kanchipuram District-603 302.
9. C. Senthilkumar,
No. 6112, Pettai Street,
Devarajapuram,
Cheyyur Village Post & Taluk,
Kanchipuram District-603 302.
10. K. Dhinakaran,
No.33, New Colony, Kalkulam Village,
Cheyyur Taluk, Kanchipuram District.
11. S. Munusamy,
Dr. Ambedkar Street,
Gangadevakuppam Village,
Seempulipuram Post, Cheyyur Taluk,
Kanchipuram District.
12. P. Ramachandran,
No. 395, Malai Colony,
Kadukkapattu Village,
Palur Post, Cheyyur Taluk,
Kanchipuram District-603 302.
13. The District Election Officer/
District Collector,
Collectorate Kanchipuram,
Kanchipuram District.
14. The Returning Officer,
34, Cheyyur (SC) Assembly Constituency and
Special Deputy Collector,
(Social Security Scheme),
Kanchipuram District—*Respondents*.

This Election Petition Praying that this Hon'ble Court be Pleased to (i) Order re-counting of all the Postal votes, polled in No. 34-Cheyyur (SC) Assembly Constituency in the General Election to the Tamil Nadu Legislative Assembly held in the year 2016. (ii) Declare that the Election of the 1st Respondent from No. 34-Cheyyur (SC) Assembly Constituency in the General Election to the Tamil Nadu Legislative Assembly as null and void;

(iii) Declare that the Petitioner as elected from the No. 34-Cheyyur (SC) Assembly Constituency in the General Election to the Tamil Nadu Legislative Assembly.

(iv) Direct the 1st respondent to pay the costs of the petition.

OA No.28 of 2017

R.T. Arasu,
S/o. Thandiyan,
No.1/22, Mariyamman Koil Street,
Irumbedu Village, Maduranthagam Taluk,
Kanchipuram District-603 301—*Applicant / 1st Respondent*

Versus

1. A. Munusamy,
S/o. R.Arumugam,
No. 3/365, Padavattamman Koil Street,
Kazhipattur Village, Padur Post,
Thiruporur Taluk,
Kanchipuram District Pin-603 103.— *1st Respondent / Petitioner*
2. P. Sampath,
No. 51, Thenneripattu Village,
Vellore Post, Cheyyur Taluk,
Kanchipuram District-603 401.
3. T. Ramesh,
No. 14, Manju Villagam, Paraman Keni,
Sekkanankuppam Post, Cheyyur Taluk,
Kanchipuram District-603 305.
4. Ehil Karoline,
No. 64, Padmavathi Nagar Main Road,
Madampakkam, Chennai-600 126.
5. I. Kannan,
No. 5/645, Kalaimagal Street,
New Otteri Extention, Vandalur,
Chennai-600 048.
6. V. Sadaiyappan,
No. 3-14/3-133, Mariyamman Koil Street,
Ottiyambakkam Village, Thalambur Post,
Cholinganallur Taluk, Kanchipuram District-600 073.
7. A. Dasarathan,
No.7 Ottraivadai Street,
Illedu Village,
Soonambedu Post, Cheyyur Taluk,
Kanchipuram District-603 401.

8. S. Krishnaraj,
No. 60/3, Chengeniamman Koil Street,
Sengattur Village & Post,
Cheyyur Taluk, Kanchipuram District-603 302.
9. C. Senthilkumar,
No. 6112, Pettai Street,
Devarajapuram,
Cheyyur Village Post & Taluk,
Kanchipuram District-603 302.
10. K. Dhinakaran,
No.33, New Colony, Kalkulam Village,
Cheyyur Taluk, Kanchipuram District.
11. S. Munusamy,
Dr. Ambedkar Street,
Gangadevakuppam Village,
Seempulipuram Post, Cheyyur Taluk,
Kanchipuram District.
12. P. Ramachandran,
No. 395, Malai Colony,
Kadukkapattu Village,
Palur Post, Cheyyur Taluk,
Kanchipuram District-603 302.
13. The District Election Officer/
District Collector,
Collectorate Kachipuram,
Kanchipuram District.
14. The Returning Officer,
34, Cheyyur (SC) Assembly Constituency and
Special Deputy Collector
(Social Security Scheme)
Kanchipuram District—*Respondents / Respondents.*

O.A. No. 28 of 2017

The Original Application praying that this Hon'ble Court be pleased to reject the Election Petition No. 20 of 2016.

O.A.Nos.748 & 749 of 2017

1. The District Election Officer/
District Collector,
Kachipuram Collectorate,
Kanchipuram District.

2. The Returning Officer,
34, Cheyyur (SC) Assembly Constituency and
Deputy Collector
(Social Security Scheme)
Kanchipuram—*Applicant / 13th & 14th Respondents*

Versus

1. A. Munusamy,
S/o. R. Arumugam,
No. 3/365, Padavattamman Koil Street,
Kazhipattur Village, Padur Post,
Thiruporur Taluk,
Kanchipuram District Pin-603 103—*1st Respondent / Petitioner*
2. R.T. Arasu,
S/o. Thandiyan,
No.1/22, Mariyamman Koil Street,
Irumbedu Village, Maduranthagam Taluk,
Kanchipuram District-603 301.
3. P. Sampath,
No. 51, Thenneripattu Village,
Vellore Post, Cheyyur Taluk,
Kanchipuram District-603 401.
4. T. Ramesh,
No. 14, Manju Villagam, Paraman Keni,
Sekkanankuppam Post, Cheyyur Taluk,
Kanchipuram District-603 305.
5. Ehil Karoline,
No. 64, Padmavathi Nagar Main Road,
Madampakkam, Chennai-600 126.
6. I. Kannan,
No. 5/645, Kalaimagal Street,
New Otteri Extention, Vandalur,
Chennai-600 048.
7. V. Sadaiyappan,
No. 3-14/3-133, Mariyamman Koil Street,
Ottiyambakkam Village, Thalambur Post,
Cholinganallur Taluk, Kanchipuram District-600 073.
8. A. Dasarathan,
No.7, Ottraivadaai Street,
Illedu Village,
Soonambedu Post, Cheyyur Taluk,
Kanchipuram District-603 401.

9. S. Krishnaraj,
No. 60/3, Chengeniamman Koil Street,
Sengattur Village & Post,
Cheyyur Taluk,
Kanchipuram District-603 302.
10. C. Senthilkumar,
No. 6112, Pettai Street,
Devarajapuram,
Cheyyur Village Post & Taluk,
Kanchipuram District-603 302.
11. K. Dhinakaran,
No.33 New Colony, Kalkulam Village,
Cheyyur Taluk, Kanchipuram District.
12. S. Munusamy,
Dr. Ambedkar Street,
Gangadevakuppam Village,
Seempulipuram Post, Cheyyur Taluk,
Kanchipuram District.
13. P. Ramachandran,
No. 395, Malai Colony,
Kadukkapattu Village,
Palur Post, Cheyyur Taluk,
Kanchipuram District-603 302—*Respondents / Respondents*

O.A. No. 748 of 2017

This Original Application praying that this Hon'ble Court be pleased to strike off the 13th respondent as a respondent in the Election Petition No. 20 of 2016.

O.A. No. 749 of 2017

This Original Application praying that this Hon'ble Court be pleased to strike off the 14th respondent as a respondent in the Election Petition No. 20 of 2016.

The above Election Petition and Original Applications coming on this day before this Court for hearing in the presence of Mr. A. Navaneethakrishnan, Senior counsel for Mr. M. Jothikumar, advocate for the Election Petitioner in ELP.No. 20 of 2016 and for the 1st respondent/Petitioner in O.A.Nos. 28 of 2017, 748 of 2017 & 749 of 2017, Mr. P. Wilson, Senior Counsel for M/s. Wilson Associates, advocates for the 1st respondent in ELP.No. 20 of 2016 and for Applicant/1st Respondent in O.A.No. 28 of 2017 and for 2nd Respondent/1st Respondent in O.A. Nos. 748 & 749/2017 and Mr. Niranjana Rajagopalan, advocate for M/s. G.R.Associates, advocate for the respondents 13 & 14 in ELP No. 20 of 2016, O.A. 28 of 2017 and for the applicants/13th & 14th Respondents in O.A. Nos 748 & 749/2017; and

upon reading the petition and affidavit of A. Munusamy, filed in ELP No. 20 of 2016; and upon reading the Judges Summon and affidavit of R.T. Arasu, filed in O.A.No. 28 of 2017; and upon reading the Judges Summon and affidavit of Rajesh Lakhoni, filed in O.A. Nos. 748 & 749 of 2017; and the Common Counter Affidavit of A. Munusamy, filed in OA.Nos. 28 & 29 of 2017 and this Court having observed that in view of the order dated 7-11-2017 passed by this Court in O.A. No. 29 of 2017 filed by the Returned Candidate under order VI Rule 16 of the Civil Procedure Code, striking off paragraph Nos. 20 to 31 of this election petition, nothing survives for adjudication in this election petition.

It is ordered as follows:—

- (i) That the Election Petition No. 29 of 2016 be and is hereby dismissed.
- (ii) That the O.A. Nos. 28 of 2017, 748 of 2017 and 749 of 2017 be and are hereby closed.

WITNESS, THE HON'BLE MS. INDIRA BANERJEE, CHIEF JUSTICE,
HIGH COURT AT MADRAS, AFORESAID THIS THE 8th DAY OF NOVEMBER 2017.

SD/-
*Assistant Registrar,
Original Side-I.*

CERTIFIED TO BE TRUE COPY

DATED THIS THE 4th DAY OF DECEMBER 2017

*Manager
Insolvency Office*

From 25th day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.

cns. 13.11.2017

ELP. No. 20 OF 2016

AND

O.A. Nos. 28, 748 & 749 of 2017

ORDER DATED: 08-11-2017

THE HON'BLE MR. JUSTICE

P.N. PRAKASH

FOR APPROVAL : 14-11-2017

APPROVED ON : 14-11-2017

To

1. The Speaker
Tamil Nadu Assembly
(Through Secretary
Tamil Nadu Legislative Assembly
Constituency, Chennai-600 002.
2. The Election Commission
of India
**Through the Secretary
New Delhi.**

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Ordinary Original Civil Jurisdiction)

Wednesday, the 8th day of November 2017.

The Hon'ble Mr. Justice P.N. PRAKASH

Election Petition No. 20 of 2016

and

O.A.Nos. 28, 748 and 749 of 2017.

ELP No. 20 of 2016.

A. Munusamy,
S/o. R. Arumugam,
No. 3/365, Padavattamman Koil Street,
Kazhipattur Village, Padur Post,
Thiruporur Taluk,
Kanchipuram District, Pin-603 103—*Petitioner*

Versus

1. R.T. Arasu,
S/o. Thandiyan
No. 1/22, Mariyamman Koil Street,
Irumbedu Village, Maduranthagam Taluk,
Kanchipuram District-603 301.
2. P. Sampath,
No. 51, Thenneripattu Village,
Vellore Post, Cheyyur Taluk,
Kanchipuram District-603 401.
3. T. Ramesh,
No. 14, Manju Villagam, Paraman Keni,
Sekkananthakuppam Post, Cheyyur Taluk,
Kanchipuram District-603 305.
4. Ehil Karoline,
No. 64, Padmavathi Nagar Main Road,
Madampakkam,
Chennai-600 126.
5. I. Kannan,
No. 5/645, Kalaimagal Street,
New Otteri Extention, Vandalur,
Chennai-600 048.
6. V. Sadaiyappan,
No. 3-14/3-133, Mariyamman Koil Street,
Ottiyambakkam Village, Thalambur Post,
Cholinganallur Taluk,
Kanchipuram District-600 073.

7. A. Dasarathan,
No. 7, Ottraivadai Street,
Illedu Village,
Soonambedu Post, Cheyyur Taluk,
Kanchipuram District-603 401.
8. S. Krishnaraj,
No. 60/3, Chengeniamman Koil Street,
Sengattur Village & Post,
Cheyyur Taluk,
Kanchipuram District-603 302.
9. C. Senthilkumar,
No. 6112, Pettai Street,
Devarajapuram,
Cheyyur Village Post & Taluk,
Kanchipuram District-603 302.
10. K. Dhinakaran,
No. 33, New Colony, Kalkulam Village,
Cheyyur Taluk,
Kanchipuram District.
11. S. Munusamy,
Dr. Ambedkar Street,
Gangadevakuppam Village,
Seempulipuram Post, Cheyyur Taluk,
Kanchipuram District.
12. P. Ramachandran,
No. 395, Malai Colony,
Kadukk pattu Village, Palur Post,
Cheyyur Taluk,
Kanchipuram District-603 302.
13. The District Election Officer/District Collector,
Collectorate Kanchipuram,
Kanchipuram District.
14. The Returning Officer,
34, Cheyyur (SC) Assembly Constituency and
Special Deputy Collector
(Social Security Scheme)
Kanchipuram District—*Respondents*.

This Election Petition praying that this Hon'ble Court be pleased to (i) order re-counting of all the postal votes, polled in No. 34-Cheyyur (SC) Assembly Constituency in the General Election to the Tamil Nadu Legislative Assembly held in the year 2016. (ii) declare that the Election of the 1st Respondent from No. 34-Cheyyur (SC) Assembly Constituency in the general Election to the Tamil Nadu Legislative Assembly as null and void; (iii) declare that the petitioner as elected from the No. 34-Cheyyur (SC) Assembly Constituency in the general Election to the Tamil Nadu Legislative Assembly (iv) direct the 1st respondent to pay the costs of the petition.

OA. No. 28 of 2017.

R.T. Arasu,
S/o. Thandiyan,
No. 1/22, Mariyamman Koil Street,
Irumbedu Village, Maduranthagam Taluk,
Kanchipuram District-603 301—*Applicant/1st Respondent.*

Versus

1. A. Munusamy,
S/o. R. Arumugam,
No. 3/365, Padavattamman Koil Street,
Kazhipattur Village, Padur Post, Thiruporur Taluk,
Kanchipuram District,
Pin-603 103—*1st Respondent/Petitioner.*
2. P. Sampath,
No. 51, Thenneripattu Village,
Vellore Post, Cheyyur Taluk,
Kanchipuram District-603 401.
3. T. Ramesh,
No. 14, Manju Villagam, Paraman Keni,
Sekkananuppam Post, Cheyyur Taluk,
Kanchipuram District-603 305.
4. Ehil Karoline,
No. 64, Padmavathi Nagar Main Road,
Madampakkam, Chennai-600 126.
5. I. Kannan,
No. 5/645, Kalaimagal Street,
New Otteri Extention, Vandalur,
Chennai-600 048.
6. V. Sadiyappan,
No. 3-14/3-133, Mariyamman Koil Street,
Ottiyambakkam Village, Thalambur Post,
Cholinganallur Taluk,
Kanchipuram District-600 073.
7. A. Dasarathan,
No. 7, Ottraivadai Street,
Illedu Village,
Soonambedu Post, Cheyyur Taluk,
Kanchipuram District-603 401.
8. S. Krishnaraj,
No. 60/3, Chengeniamman Koil Street,
Sengattur Village & Post,
Cheyyur Taluk,
Kanchipuram District-603 302.

9. C. Senthilkumar,
No. 6112, Pettai Street,
Devarajapuram,
Cheyyur Village Post & Taluk,
Kanchipuram District-603 302.
10. K. Dhinakaran,
No. 33, New Colony, Kalkulam Village,
Cheyyur Taluk,
Kanchipuram District.
11. S. Munusamy,
Dr. Ambedkar Street,
Gangadevakuppam Village,
Seempulipuram Post, Cheyyur Taluk,
Kanchipuram District.
12. P. Ramachandran,
No. 395, Malai Colony,
Kadukkapattu Village, Palur Post,
Cheyyur Taluk,
Kanchipuram District-603 302.
13. The District Election Officer/District Collector,
Collectorate Kanchipuram,
Kanchipuram District.
14. The Returning Officer,
34, Cheyyur (SC) Assembly Constituency and
Special Deputy Collector
(Social Security Scheme)
Kanchipuram District—*Respondents / Respondents*

O.A. No. 28 of 2017

The Original Application praying that this Hon'ble Court be pleased to reject the Election Petition No. 20 of 2016.

O.A. Nos. 748 & 749 of 2017

1. The District Election Officer/District Collector,
Kanchipuram Collectorate,
Kanchipuram District.
2. The Returning Officer,
34, Cheyyur (SC) Assembly Constituency and
Deputy Collector
(Social Security Scheme)
Kanchipuram—*Applicants/13th & 14th Respondents.*

Versus

1. A. Munusamy,
S/o. R. Arumugam,
No. 3/365, Padavattamman Koil Street,
Kazhipattur Village, Padur Post, Thiruporur Taluk,
Kanchipuram District,
Pin-603 103—*1st Respondent/Petitioner.*
2. R.T. Arasu,
S/o. Thandiyan,
No. 1/22, Mariyamman Koil Street,
Irumbedu Village, Maduranthagam Taluk,
Kanchipuram District-603 301.
3. P. Sampath,
No. 51, Thenneripattu Village,
Vellore Post, Cheyyur Taluk,
Kanchipuram District-603 401.
4. T. Ramesh,
No. 14, Manju Villagam, Paraman Keni,
Sekkanankuppam Post, Cheyyur Taluk,
Kanchipuram District-603 305.
5. Ehil Karoline,
No. 64, Padmavathi Nagar Main Road,
Madampakkam, Chennai-600 126.
6. I. Kannan,
No. 5/645, Kalaimagal Street,
New Otteri Extention, Vandalur,
Chennai-600 048.
7. V. Sadaiyappan,
No. 3-14/3-133, Mariyamman Koil Street,
Ottiyambakkam Village, Thalambur Post,
Cholinganallur Taluk,
Kanchipuram District-600 073.
8. A. Dasarathan,
No. 7, Ottarivadai Street,
Illedu Village,
Soonambedu Post, Cheyyur Taluk,
Kanchipuram District-603 401.
9. S. Krishnaraj,
No. 60/3, Chengeniamman Koil Street,
Sengattur Village & Post,
Cheyyur Taluk,
Kanchipuram District-603 302.
10. C. Senthilkumar,
No. 6112, Pettai Street, Devarajapuram,
Cheyyur Village Post & Taluk,
Kanchipuram District-603 302.

11. K. Dhinakaran,
No. 33, New Colony, Kalkulam Village,
Cheyyur Taluk,
Kanchipuram District.
12. S. Munusamy,
Dr. Ambedkar Street,
Gangadevakuppam Village,
Seempulipuram Post, Cheyyur Taluk,
Kanchipuram District.
13. P. Ramachandran,
No. 395, Malai Colony,
Kadukkapattu Village, Palur Post,
Cheyyur Taluk,
Kanchipuram District-603 302—*Respondents/Respondents*.

O.A.No. 748 of 2017

This Original Application praying that this Hon'ble Court be pleased to strike off the 13th respondent as a respondent in the Election Petition No. 20 of 2016.

O.A.No. 749 of 2017

This Original Application praying that this Hon'ble Court be pleased to strike off the 14th respondent as a respondent in the Election Petition No. 20 of 2016.

These Election Petition and Original Applications coming on this day before this Court for hearing in the presence of Mr. A. Navaneethakrishnan, Senior Counsel for Mr. M. Jothikumar, advocate for the Election Petitioner in ELP. No. 20 of 2016 and for the 1st respondent/Petitioner in OA.Nos. 28 of 2017, 748 of 2017 & 749 of 2017, Mr. P. Wilson, advocate for M/s. Wilson Associates, advocates for the 1st respondent in ELP No. 20 of 2016 and for Applicant/1st Respondent in OA.No. 28 of 2017 and for 2nd Respondent/1st Respondent in OA. Nos. 748 & 749/2017 and Mr. Niranjana Rajagopalan, advocate for M/s. G.R. Associates, advocate for the respondents 13 & 14 in ELP No. 20 of 2016, OA 28 of 2017 and for the applicants 13th & 14th Respondents in OA Nos. 748 & 749/2017; and upon reading the petition and affidavit of A. Munusamy, filed in ELP No. 20 of 2016; and upon reading the Judges Summon and affidavit of R.T. Arasu, filed in O.A.No. 28 of 2017; and upon reading the Judges Summon and affidavit of Rajesh Lakhoni, filed in O.A.Nos. 748 & 749 of 2017; and the Common Counter Affidavit of A. Munusamy, filed herein.

The Court made the following order:-

In view of the order dated 7-11-2017 passed by this Court in O.A. No. 29 of 2017 filed by the Returned Candidate under Order VI Rule 16 of the Civil Procedure Code, striking off paragraph Nos. 20 to 31 of this election petition, nothing survives for adjudication in this election petition.

2. Accordingly, this election petition is dismissed. No costs. Consequently, connected O.A. No. 28 of 2017 filed by the Returned Candidate and also O.A. Nos. 748 and 749 of 2017 filed by the District Election Officer/District Collector, Kanchipuram District and the Returning Officer are closed.

WITNESS, THE HON'BLE MS. INDIRA BANERJEE, CHIEF JUSTICE, HIGH COURT AT MADRAS, AFORESAID THIS THE 8th DAY OF NOVEMBER 2017.

Sd/-
*Assistant Registrar,
Original Side-I.*

CERTIFIED TO BE TRUE COPY

DATED THIS THE 20th DAY OF DECEMBER 2017

*Manager,
Insolvency Officer.*

From 25th day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.

(By Order)

MALLAY MALLICK,
*Secretary,
Election Commission of India.*

Secretariat,
Chennai-600 009.
2nd February 2018.

RAJESH LAKHONI,
*Chief Electoral Officer and
Principal Secretary to Government.*